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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,493	10/01/2003	Hideo Ikeno	00862.023254.	4231
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EXAMINER				
HUNTSINGER, PETER K				
ART UNIT		PAPER NUMBER		
2625				
MAIL DATE		DELIVERY MODE		
10/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/674,493

Applicant(s)

IKENO, HIDEO

Examiner

Peter K. Huntsinger

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/8/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19, 22, 23, 26 and 28-33 is/are pending in the application.
4a) Of the above claim(s) 3, 4 and 11-15 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19, 22, 23, 26 and 28-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/888)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 19, 22, 23, 26 and 28-33 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 28-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 28-30 are drawn to a computer implemented process that merely manipulates data or an abstract idea, or merely solves a mathematical problem without a limitation to a practical application in the technological arts.

In order for a claimed invention to accomplish a practical application, it must produce a "useful, concrete and tangible result" *State Street*, 149 F.3d at 1373, 47 USPQ2d at 1601-02 (See MPEP 2106.II.A). A practical application can be achieved through recitation of "a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan", or "limited to a practical application within the technological arts" (MPEP 2106 IV). Currently, claims 28-30 meet neither of these criteria. In order for the claimed process to produce a "useful, concrete and tangible" result, recitation of one or more of the following elements is suggested:

- The manipulation of data that represents a physical object or activity transformed from outside the computer.
- A recitation of a physical transformation outside the computer, for example in the form of pre or post computer processing activity.
- A direct recitation of a practical application in the technological arts.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19, 23, 26, 28 and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art, and further in view of Ukai '506.

Referring to **claim 19**, the applicant's background section discloses a data processing apparatus, which communicates with an image processing apparatus that processes image data by using resources retained in memory, comprising:

retention means for retaining resources which are utilized in image processing (page 1, lines 11-24, resource retention area provided within image forming apparatus retains resource data such as fonts, color profiles and dither patterns used in forming an image); and

wherein the display names set for each of the resources are different for different print languages used in the image processing apparatus (page 4, lines 10-15, the resource is displayed under a separate name for each print language).

The applicant's background section does not disclose expressly setting means for setting display names of a resource.

Ukai '506 discloses setting means for setting display names of a resource for each of the resources retained by the retention means (col. 18-19, lines 66-67, 1-4, user may rename file by using a dialog box).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to set a display name for a file. The motivation for doing so would have been to allow a user to customize the file name of a file to their liking. Therefore, it would have been obvious to combine Ukai '506 with the applicant's admitted prior art to obtain the invention as specified in claim 19.

Referring to **claim 23**, the applicant's background section discloses wherein the resources include a font resource used in printing, and/or a form resource for forming an image by being superimposed on print data at the time of printing, and/or a color-profile resource that expresses color space of an input/output device, and/or a look-up-table resource, which is a conversion table for color correction in color processing, and/or a dither-pattern resource, which is pattern data for deciding expression of color in color processing (page 1, lines 11-15, resource data such as fonts, color profiles and dither patterns used in forming an image is retained within the image forming apparatus).

Referring to **claim 26**, see the rejection of claim 19 above.

Referring to **claim 28**, see the rejection of claim 19 above.

Referring to **claim 30**, see the rejection of claim 23 above.

Referring to **claim 31**, see the rejection of claim 19 above.

Referring to **claim 33**, see the rejection of claim 23 above.

6. Claims 22, 29 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over the applicant's admitted prior art and Ukai '506 as applied to claims 20, 28 and 31 above, and further in view of Forstall '869.

Referring to **claim 22**, the Ukai '506 discloses setting means for setting display names for a resource but does not disclose expressly wherein the information indicates that the resource is not to be displayed.

Forstall '869 discloses information indicates that when a setting means indicate a predetermined value, the data processing apparatus is controlled so that one of the resources is not displayed (col. 5, lines 33-57, hide extension bit associated with a file name).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to not display a resource. The motivation for doing so would have been to give the user a certain degree of control over the visibility of the user interface. Therefore, it would have been obvious to combine Forstall '869 with the applicant's admitted prior art and Ukai '506 to obtain the invention as specified in claim 22.

Referring to **claim 29**, see the rejection of claim 22 above.

Referring to **claim 32**, see the rejection of claim 22 above.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K. Huntsinger/
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625